

EXHIBIT 7

Filed Redacted/Under Seal

LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 1

1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF CALIFORNIA
 3

4 LD, DB, BW, RH, and CJ on)
 behalf of themselves and)
 5 all others similarly situated,)
 Plaintiffs,)No.
 6 vs.)4:20-cv-02254-YGR
 UNITED HEALTHCARE INSURANCE)
 7 COMPANY, a Connecticut) CONFIDENTIAL
 Corporation, UNITED BEHAVIORAL) ATTORNEYS' EYES
 8 HEALTH, a California) ONLY
 Corporation, and MULTIPLAN,)
 9 INC., a New York Corporation,)
 Defendants.)

10
 11
 12 The videotaped discovery deposition of
 13 MULTIPLAN, INC., by and through Sean Crandell,
 14 taken in the above-entitled cause, before
 15 Deralyn Gordon, a notary public of Cook County,
 16 Illinois, on the 14th day of July, 2022, via
 17 virtual Zoom, beginning at approximately
 18 9:13 AM CST, pursuant to 30(b)(6) and 30(b)(1)
 19 Notice.

20
 21
 22
 23 REPORTED BY: DERALYN GORDON, CSR, RPR, CRR
 24 LICENSE NO: 084-003957

1 PRESENT:

2
3 ARNALL GOLDEN GREGORY LLP

4 BY AARON R. MODIANO, ESQ.

5 1775 Pennsylvania Avenue NW, Suite 1000

6 Washington DC 20006

7 (202) 677-4030

8 aaron.modiano@agg.com

9 -AND-

10 DL LAW GROUP

11 BY KATIE SPEILMAN, ESQ.

12 345 Franklin Street

13 San Francisco, California 94102

14 (415) 969-6329

15 katie@dllawgroup.com

16 appeared on behalf of plaintiffs;

1 PRESENT: (CONT'D)

3 PHELPS DUNBAR LLP

4 BY CRAIG L. CAESAR, ESQ., and

5 ERROL KING, ESQ.

6 365 Canal Street, Suite 2000

7 New Orleans, Louisiana 70130

8 (504) 566-1311

9 craig.caesar@phelps.com

10 errol.king@phelps.com

11 -AND-

12 PHELPS DUNBAR LLP

13 BY KATIE CICARDO MANNINO, ESQ.,

14 400 Convention Street, Suite 1100

15 Baton Rouge, Louisiana 70802

16 (225) 346-0285

17 katie.mannino@phelps.com

18 appeared on behalf of defendant MultiPlan,

19 Inc., and the deponent;

1 PRESENT: (CONT'D)

2
3 GIBSON DUNN & CRUTCHER LLP

4 BY HEATHER RICHARDSON, ESQ., and

5 KRYSTA HYPPOLITE, ESQ.,

6 333 South Grand Avenue

7 Los Angeles, California 90071

8 (213) 229-7000

9 hrichardson@gibsondunn.com

10 khyppolite@gibsondunn.com

11 appeared on behalf of plaintiffs

12 United Healthcare and United

13 Behavioral Health;

14
15
16
17 ALSO PRESENT:

18 Ms. Gracie Huff, Concierge;

19 Mr. Kevin Duncan, Videographer.

20 Mr. Darwin Peng.

I N D E X

VOLUME I

Thursday, July 14, 2022

WITNESS

EXAMINATION

MULTIPLAN, INC.,

by and through Sean Crandell

By Mr. Modiano

8

DEPOSITION EXHIBITS

MULTIPLAN, INC.,

by and through Sean Crandell

NUMBER

DESCRIPTION

IDENTIFIED

Exhibit 1

Plaintiffs' Notice of

10

Taking Deposition Pursuant

to Fed R CIV P 30(B)(6)

No Bates numbers

DEPOSITION EXHIBITS

MULTIPLAN, INC.,

by and through Sean Crandell

NUMBER	DESCRIPTION	IDENTIFIED
Exhibit 2	Notice of Deposition of Sean Crandell No Bates numbers	10
Exhibit 3	Viant's Facility Outpatient U&C Review Service Explanation of Methodology MPI-0007803 - MPI-0007812	28
Exhibit 4	Viant Facility U&C Review Outpatient Review (OPR) Module September 2018 MPI-0006010 - MPI-0006018	51
Exhibit 5	MultiPlan's Objections and Answers to Plaintiffs' Special Interrogatories to Defendant MultiPlan, Inc. No Bates numbers	60

DEPOSITION EXHIBITS

MULTIPLAN, INC.,

by and through Sean Crandell

NUMBER	DESCRIPTION	IDENTIFIED
Exhibit 6	Behavioral Outpatient Health - Standard Missing Value Approach MPI-0000547 - MPI-0000548	72
Exhibit 7	Email from Dale White to Jacqueline Kienzle dated 3/18/16 MPI-0008233 - MPI-0008234	75
Exhibit 8	MultiPlan Training Session: Product Logic and Analytics Salt Lake City May 2017 MPI-0012500 - MPI-0012537	84
Exhibit 9	Email from Jacqueline Kienzle to Jolene Bradley dated 5/2/18 UHC000158611 - UHC000158613	94

DEPOSITION EXHIBITS

MULTIPLAN, INC.,

by and through Sean Crandell

NUMBER	DESCRIPTION	IDENTIFIED
Exhibit 10	Email from Jacqueline Kienzle to Tina Smith dated 2/20/19 MPI-0010670 - MPI-0010676	96
Exhibit 11	Email from Jacqueline Kienzle to Sean Crandell dated 10/4/19 MPI-0002030 - MPI-0002032	100
Exhibit 12	Email from Marie Glass to Sean Crandell dated 7/6/20 MPI-0000630 - MPI-0000645	102
Exhibit 13	Email from Cindy Barry to Jackie Butterbaugh dated 9/25/20 MPI-0006867 - MPI-0006870	107
Exhibit 14	Email from Sean Crandell to Mike Schill dated 2/17/21 MPI-0002013 - MPI-0002015	109

DEPOSITION EXHIBITS

MULTIPLAN, INC.,

by and through Sean Crandell

NUMBER	DESCRIPTION	IDENTIFIED
Exhibit 15	Email from Sean Crandell to Mike Schill dated 2/17/21 MPI-0002008 - MPI-0002012	110
Exhibit 16	Email from Sean Crandell to Karen Beckstead dated 3/12/21 MPI-0002019 - MPI-0002020	113

1 (Crandell Deposition Exhibit
2 Nos. 1 and 2 marked for
3 identification.)

4 THE VIDEOGRAPHER: Good morning. We are
5 going on the video record at 9:13 AM on July 14,
6 2022.

7 Please note that this deposition is being
8 conducted virtually. Quality of recording depends
9 on the quality of camera and Internet connection
10 of participants. What is heard from the witness
11 and seen on screen is what will be recorded.

12 Audio and video recording will continue to
13 take place unless all parties agree to go off
14 the record.

15 Here begins the 30(b)(6) and 30(b)(1)
16 deposition of MultiPlan, Inc., given by
17 Mr. Sean Crandell, taken on behalf of
18 the plaintiffs in the case matter of
19 LD, et al., versus United Healthcare Insurance
20 Company, et al., filed in the US District Court
21 Northern District of California, bearing case
22 number 4:20-cv-02254-YGR.

23 My name is Kevin Duncan, and I am a
24 certified legal video specialist representing

1 Veritext Legal Solutions. The court reporter
2 today is Ms. Deralyn Gordon from Veritext Legal
3 Solutions.

4 I'm not authorized to administer an oath,
5 I'm not related to any party in this action, nor
6 am I financially interested in the outcome.

7 Counsel, will you please identify
8 yourselves starting with the noticing party.

9 MR. MODIANO: Sure. This is
10 Aaron Modiano, representing the plaintiffs in
11 this matter. And I am joined by our co-counsel,
12 Katie Speilman, of DL Law Group.

13 MR. CAESAR: And this is Craig Caesar from
14 Phelps Dunbar on behalf of defendant MultiPlan.
15 I'm joined by my colleagues, Errol King and
16 Katie Mannino.

17 MS. RICHARDSON: And this is
18 Heather Richardson on behalf of the United
19 defendants. I'm from Gibson Dunn. And I'm
20 joined by my colleagues, Krysta Hyppolite and
21 Darwin Peng.

22 THE VIDEOGRAPHER: Thank you, counsel.

23 Will the court reporter please administer
24 the oath.

1 (Whereupon the witness was
2 sworn.)

3 THE VIDEOGRAPHER: Thank you. You may
4 proceed.

5 MULTIPLAN, INC.,
6 by and through Sean Crandell
7 called as a witness herein, having been first duly
8 sworn, was examined and testified as follows:

9 EXAMINATION

10 BY MR. MODIANO:

11 Q. Good morning, Mr. Crandell.

12 A. Good morning.

13 Q. My name is Aaron Modiano. We actually met
14 before. I don't know if you remember.

15 A. Yup, I do.

16 Q. Okay. Yeah. So I'm -- this time I'm
17 representing the plaintiffs in an entirely
18 different matter.

19 So we're going to skip some of the -- some
20 of our introductions. But, you know, as we've met
21 before, you have been deposed before; correct?

22 A. Correct.

23 Q. Other than the case that -- the
24 Fremont matter where I took your deposition, have

1 you been deposed other than that?

2 A. No, I have not.

3 Q. Okay. And just a reminder or -- you know,
4 other than the laptop where you're viewing, you're
5 conducting this deposition, do you have any
6 screens, phones, electronic devices?

7 A. No. I only have two -- I have the file
8 share and the Zoom open only.

9 Q. Okay. And I believe Mr. King and
10 Mr. Caesar said they were present in the room with
11 you; is that correct?

12 A. Yes, sir.

13 Q. Okay. Is anybody else present with you?

14 A. No.

15 Q. Anybody else on a conference call, line
16 virtually?

17 A. No, sir.

18 Q. Okay. I'll just go over a couple of quick
19 ground rules.

20 The court reporter, although she's not
21 actually in the room with us, she's taking down
22 everything we're saying. So just let me finish my
23 question, and then, you know, please proceed to
24 give, you know, give your answer so we don't talk

1 over each other.

2 A. Okay.

3 Q. And I know this is being video recorded,
4 but for the sake of the record, just please make
5 sure it's yes, no, not uh-huh, uh-uh, shaking
6 the head, that sort of thing.

7 If you don't understand any of my
8 questions, just please let me know, and I'm happy
9 to rephrase them.

10 And if you need a break, and this goes for
11 anybody and as well as our court reporter, so if
12 anybody needs a break, just let me know. I'm
13 happy to take one. All I ask is that before we go
14 on break if there's a pending question, that it
15 just be answered.

16 Does that work for you, Mr. Crandell?

17 A. Yes.

18 Q. Okay.

19 MR. CAESAR: One point before we start --

20 MR. MODIANO: Uh-huh.

21 MR. CAESAR: -- with respect to objections
22 is we have proceeded in other depositions in this
23 case, objection for one defendant works for all
24 defendants so that we're -- hopefully we can avoid

1 multiple objections. But obviously each of
2 the defendant's counsel is free to object as
3 necessary. But hopefully we will minimize
4 the disruptions.

5 MR. MODIANO: That's fine by me. All for
6 one, one for all.

7 MR. CAESAR: Great.

8 BY MR. MODIANO:

9 Q. And, Mr. Crandell, as your attorney just
10 mentioned objections, they -- your attorney or
11 United's attorney may raise some objections.

12 All I would ask is that unless you're
13 instructed by your attorney not to answer my
14 question, that you do. Is that all right?

15 A. Yes.

16 Q. Okay. And even though we're here in a
17 virtual deposition, I just would like to remind
18 you that you are testifying under oath today.

19 Do you understand what that means?

20 A. Yes.

21 Q. Okay. Have you taken -- and, again, these
22 are just -- these next couple questions are just
23 standard. I don't mean anything by them. They're
24 just on the script.

1 But have you taken any medication in
2 the last 24 hours that could affect your ability
3 to understand my questions or tell the truth?

4 A. No.

5 Q. Okay. Do you have any underlying medical
6 or behavioral health condition that could affect
7 your ability to understand my questions or to tell
8 the truth?

9 A. No.

10 Q. Anything that you'd like to make me aware
11 of before we begin?

12 A. No, sir.

13 Q. Okay. Then let's just go straight to
14 the depositions -- or the deposition notices
15 rather.

16 MR. MODIANO: So how do we -- I'd like --
17 there we go.

18 So if I can -- I just pulled up
19 the 30(b)(6) deposition notice. Does that show up
20 on the screen?

21 BY MR. MODIANO:

22 Q. Mr. Crandell, can you see the plaintiffs'
23 notice of taking deposition pursuant to Federal
24 Rule 30(b)(6)?

1 A. So I click on -- this one right here?

2 MR. CAESAR: Which one is it, the first or
3 second?

4 THE WITNESS: The second one? Okay.

5 A. Sorry.

6 BY MR. MODIANO:

7 Q. That's okay.

8 A. All right. It just pulled up.

9 Q. Okay. So have you seen this document
10 before?

11 A. Yes.

12 Q. Okay.

13 MR. MODIANO: And, counsel, correct me if
14 I get the numbers wrong, but I believe you've been
15 identified for topics 2, 5, 7, 8, 11, 15, 18, and
16 26. Is that correct?

17 MR. CAESAR: And 13.

18 MR. MODIANO: Oh. And 13. Okay. Sorry.
19 You really want him to answer that one,
20 huh?

21 MR. CAESAR: He'll try.

22 BY MR. MODIANO:

23 Q. Okay. And since we're doing this both at
24 the beginning, I'd like to switch to the next

1 deposition notice, your 30(b)(1) notice.

2 Just let me know when you have that up.

3 A. It is up.

4 Q. And have you seen this document before?

5 A. Yes.

6 Q. Okay. So -- and are you appearing here
7 today pursuant to both of these notices?

8 A. Yes.

9 Q. Okay. And do you understand what it means
10 to be a 30(b)(6) witness?

11 A. I believe it's I'm representing MultiPlan
12 as a...

13 Q. You're speaking as their corporate
14 representative?

15 A. Correct.

16 Q. Okay. So in your -- did you prepare for
17 today's deposition?

18 A. Yes.

19 Q. And one thing I usually say at the
20 beginning, I'll just say it again now, is I never
21 actually want to know about a conversation that
22 you've had with counsel. So all of my questions,
23 you know, if it's involving that communication, I
24 don't want to know.

1 A. Okay.

2 Q. So they're all excluding that. And that's
3 before, you know, what did you do to prepare for
4 your deposition today.

5 So if you met with counsel, I would ask
6 that you say that and the length of time, but any
7 substance I would ask you not to, you know,
8 discuss with us.

9 A. Okay.

10 Q. So what did you do to prepare for today's
11 deposition?

12 A. I met with Mr. Caesar and Mr. King. I met
13 with Mr. Caesar on Tuesday for approximately
14 four hours, and Ms. Mannino was also present.

15 On Wednesday I prepared about six hours or
16 so with Mr. Caesar, Mr. King, and Ms. Mannino.

17 Q. Okay. And were these in person or
18 virtually or a combination?

19 A. A combination. You know, Mr. Caesar was
20 present, Ms. Mannino was via phone, and Mr. King
21 was present.

22 Q. Okay. And did you review any documents
23 during these preparation meetings?

24 A. Yes.

1 Q. Okay. And what documents, if you recall,
2 did you review?

3 A. The ones I can recall are the complaint,
4 the specific numbers that were just recited. I
5 went through some emails, a claims file, as well
6 as a few white paper documents, et cetera, to
7 prepare myself to answer the questions.

8 Q. Okay. And when you say you went through
9 emails, do you remember who was on those emails?

10 A. No.

11 Q. Okay. Do you remember approximately what
12 timeframe they covered?

13 A. From what I remember it was 2016 through I
14 don't remember the end date on some of them.

15 Q. Okay. So more or less present?

16 A. Yeah.

17 Q. Okay. And when you say you reviewed
18 the claim file, what do you mean when you say you
19 reviewed a claim file?

20 A. I was made aware that there was a claims
21 file with the claims in question. So I reviewed
22 the claims file headers just so I have an
23 understanding of what it actually was.

24 Q. Okay. So was this a spreadsheet?

1 A. Yes.

2 Q. Okay. And when you say you reviewed
3 white papers, which white papers did you review?

4 A. The Viant OPR white paper.

5 Q. Okay. Which version or versions?

6 A. I can't remember.

7 Q. Or just what -- what years?

8 A. I think it was the -- I think the 2018
9 version of it.

10 Q. Okay. And I'll ask -- I mean, we're going
11 to ask questions about white papers.

12 A. Okay.

13 Q. We'll come into that in a bit.

14 So any other documents that you can recall
15 reviewing?

16 A. No.

17 Q. Okay. And other than your attorneys, do
18 you recall speaking with anyone regarding your up-
19 -- this deposition you're here for?

20 A. Yeah. I actually did talk with
21 Mike Schill on Wednesday morning, not in
22 the presence of my counsel, regarding -- he was
23 the one that put the claims file together. And I
24 had a question about what a column meant, and I

1 asked him. So --

2 Q. Okay.

3 A. -- that's the only other contact I've got
4 with outside counsel.

5 Q. So do you have an understanding of what
6 this case is about?

7 A. I have a general understanding, yes.

8 Q. Okay. And so what is your general
9 understanding?

10 A. I -- my understanding of the case is that
11 there's discrepancies in reimbursement amounts
12 that the plaintiffs feel and -- they should have
13 been owed. Okay.

14 And then the other discrepancies that were
15 brought to my attention that are at issue here are
16 codes regarding APCs and 80015, which is a
17 HCPCS code. That's my general understanding.

18 Q. Just for the sake of our court reporter,
19 when we say HCPCS, that's H-C-P-C; correct?

20 A. Correct.

21 Q. Thank you.

22 A. Sure.

23 Q. I know what you're talking about, but I --

24 A. Yeah.

1 Q. -- just -- just want to make it easier to
2 appear in our transcript.

3 A. Yeah. And if I talk in acronyms, please
4 stop me. It's a habit of mine, so...

5 Q. I mean, well, because otherwise it would
6 take forever to say anything.

7 So what is your current role and your
8 position at MultiPlan?

9 A. I'm currently the vice president of health
10 care economics at MultiPlan. I've been in this
11 role since July of 2020.

12 Previous to that I started with MultiPlan
13 in 2010 with the Viant and MultiPlan merger.

14 Previous to that I worked for Viant from
15 20- -- or 2007 through 2010 when the merger
16 occurred.

17 Previous to that I worked for Texas True
18 Choice, which was a PPO network in the state of
19 Texas.

20 Q. For your entire time at MultiPlan -- so
21 2010 forward -- have you always been in health
22 care economics or whatever the department would
23 have been called?

24 A. Yeah. I've been in some -- one of

1 the divisions of health care economics the whole
2 time.

3 Q. Okay. So your present role, which I think
4 you stated you've been in since 2020. So what --

5 A. Uh-huh.

6 Q. -- are your -- what are your duties and
7 what are your responsibilities in that role?

8 A. The health care economics area is in
9 the finance area. And what we do is we -- we kind
10 of have a couple different divisions under health
11 care economics.

12 The first would be what I'll call an
13 information planning area. And that area is
14 responsible for, you know, delivering, reporting,
15 and, you know, what I'll call self-service
16 platforms to our end users, which are everybody
17 from sales and account management, you know, to
18 operations, to our, you know, product area.

19 So there's a -- that area kind of really
20 does a wide variety of hosting with technologies
21 like QLIK View and QLIK Sense.

22 Our other areas that I oversee are
23 the advanced analytics area, which include
24 Data iSight areas, you know, advanced algorithm

1 and analytic support.

2 The last area really is what I'll call
3 the MRA, which is medical reimbursement analysis
4 analytics area. And this area is headed up by
5 Mike Schill who is on my team. Mike is, you know,
6 responsible for the -- what I'll call algorithms
7 and the data-gathering component of all of our
8 analytic-based products that we offer our clients.

9 And then I also do have Karen Beckstead
10 reports directly to me as well. Karen is a legacy
11 Viant and really focuses on the Viant UCR product.
12 She has been there for a long -- a long time.

13 And then the last direct report I have is
14 more of, you know, a strategy area. His name is
15 John Briggs. John has just recently joined us
16 from -- and really heads up a lot of our strategic
17 initiatives, you know, everything from
18 streamlining our operations.

19 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

23 Q. Okay. And when you refer to your clients,
24 are you referring to internal clients, external

1 clients or both?

2 A. My -- our clients are really our internal
3 users, people that are sending us the requests.
4 We're an internal face -- internal-facing, you
5 know, request area where we're really gathering
6 information and requests from our operations area,
7 our provider -- our provider network development
8 area.

9 Our -- my definition of clients are
10 everybody in the organization.

11 Q. Okay. So is it a fair statement that you
12 guys support all of the lines of business within
13 the organization?

14 A. Yes.

15 Q. Okay. That's good. So now we can --
16 subject to -- I want to make sure I understand.

17 You've got three direct reports; is
18 that what you testified to? Mike Schill,
19 Karen Beckstead, and --

20 A. No, I --

21 Q. Oh, sorry.

22 A. I actually -- Julio Lopez oversees our
23 enterprise analytics, that's one. Gaurav Agarwal
24 oversees our information planning, that's two.

1 Karen Beckstead is in our Viant UCR area.
2 Mike Schill is our MRA product analytics, and then
3 the last one is John Briggs. That's five direct
4 reports.

5 Q. Okay. And who do you report to?

6 A. I report to the CFO, Jim Head.

7 Q. Okay. And does he report to the CEO?

8 A. Yes, Dale White.

9 Q. Okay. So now we can move on.

10 So first thing I want to ask you about is
11 going to -- I want to -- I'm going to just put
12 sort of Topics 2 and 15 together. So if you
13 wanted to bring up your 30(b)(6), I'll read out
14 the two topics.

15 So Topic 2 is: "All reasons why
16 the patient claims underlying litigation, both as
17 to the named Plaintiffs and as to the punitive
18 class, have been underpaid, including, but not
19 limited to, databases, methodologies, and
20 percentiles used to determine the payment
21 amounts." And then that was Topic 2?

22 Topic 15 is: "The data source(s) utilized
23 by the Viant outpatient" -- I'm just reading them
24 in, and then we'll go through question by

1 question.

2 A. Okay.

3 Q. I'm not going to ask one big open-ended --

4 MR. CAESAR: Can we stop for a second?

5 We -- Aaron, we have some IT folks who stopped in.

6 Can we go off the record for a couple minutes?

7 MR. MODIANO: Sure.

8 MR. CAESAR: We're still trying to

9 figure out an issue with respect to the Zoom room.

10 Can we go off the record for a couple of seconds?

11 MR. MODIANO: Yeah. No problem by me.

12 THE VIDEOGRAPHER: Please stand by. Going

13 off the video record at 9:33 AM.

14 (Recess taken.)

15 THE VIDEOGRAPHER: We are back on record

16 at 9:40 AM. You may proceed.

17 MR. MODIANO: Okay.

18 Thank you and no questions pending.

19 (Crandell Deposition Exhibit

20 No. 3 marked for

21 identification.)

22 BY MR. MODIANO:

23 Q. I actually just put Exhibit 3 in marked

24 exhibits, so I -- oh, no, I'm sorry. I was

1 reading the topics, and then I'll go to Exhibit 3,
2 because they're both going to relate.

3 So I believe we covered Topic 2. And
4 Topic 15 is: "The data source(s) utilized by
5 the Viant outpatient facility methodology or
6 program from January 1, 2015, to present. This
7 request shall include, but is not limited to,
8 the selection of data sets, loading of data sets,
9 any modification of data sets, verification as to
10 the integrity of data sets, and the models
11 utilizing such sets, and any assumptions or
12 modifications applied by the model or to the data
13 in the pricing of claims by the Viant OPR model or
14 program as to be out-of-network mental health
15 claims." Okay.

16 So the first exhibit I wanted to bring
17 up --

18 MR. CAESAR: Wait. Aaron, I thought you
19 were going to mark the notices as Exhibits 1 and
20 2. When I click on them, I don't see an exhibit
21 mark.

22 MR. MODIANO: I can put a stamp on them.

23 THE CONCIERGE: Yeah. They are actually
24 marked right now as Exhibit 1, 2, and he just

1 introduced a third document.

2 So if you can confirm that what you see in
3 the marked exhibits --

4 MR. CAESAR: I'm clicked on No. 1, and the
5 individual notice, and I don't see an exhibit
6 sticker on it, on my copy.

7 THE CONCIERGE: Yeah, you're right.
8 There's not a sticker in there.

9 Mr. Modiano, from now on you can just --
10 like I said before, just have the option to add
11 the stamp when introducing the exhibit. So it
12 should be good from now on.

13 And I can -- I'll make sure the ones that
14 were introduced before, I'll mark them and put a
15 sticker.

16 MR. CAESAR: All right. Thank you.

17 THE CONCIERGE: Yeah, no problem.

18 (Discussion held off the
19 record.)

20 BY MR. MODIANO:

21 Q. So, yeah, just click on 3. This has been
22 produced to us at MultiPlan -- MPI Bates 0007803.

23 And I believe -- well, rather than me
24 telling you what I think it is, can you just pull

1

[REDACTED]

■

[REDACTED]

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[REDACTED]

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1 Q. Okay. And do you know what other
2 databases were considered, not ultimately
3 implemented, but were considered during this
4 period? I'm just going to go from 2009 to
5 present.

6 A. No, I do not.

7 Q. Okay. Do you have any background in
8 statistics?

9 A. Statistics classes in college. That's
10 about it. I'm not a certified statistician at
11 all.

12 Q. Okay. And how about computer programming?

13 A. Yes.

14 Q. Okay.

15 A. SQL, Oracle, Power BI, and I'm versed in
16 all areas of what I'll call analytical coding per
17 se.

18 Q. So XML would be another one you're
19 familiar with?

20 A. Not really XML, no.

21 Q. Okay.

22 A. More so just your standard -- you know,
23 I'm an analyst so it's -- by heart. And it's more
24 so just, you know, solving analytical problems

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BY MR. MODIANO:

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Q. Okay. So I want to move to page 4 of this document now. Just let me know when you're there.

10

11

A. Is it the page -- okay, page 3 of 10.

12

Okay. Got it.

13

Q. Page 4 of 10, sorry. When I said page 4,

14

I meant page 4 of 10.

15

A. Okay. I'm on there.

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(Court reporter clarification.)

(Discussion held off the

record.)

BY MR. MODIANO:

Q. And now in terms of -- in terms of payment, is there -- do you know how the APC payment number is arrived at?

MR. CAESAR: Objection as to form.

MR. MODIANO: If you know.

A. Yeah, it's -- it's a set schedule, I believe. And I believe there's different localities and those types of things that go into the APC. It's CMS-based logic that's created.

BY MR. MODIANO:

Q. Okay. So CMS would create the payment for an APC code; correct?

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16 MR. CAESAR: I'm going to -- I'm going to
17 object to form.

18 But you can answer.

19 THE WITNESS: Okay.

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Q. Okay.

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1 Q. And when you refer to UB, can you explain
2 what --

3 A. Yeah. A UB is a billing form that are
4 submitted -- that are the standard industry
5 standard of what you have to submit for payment
6 on.

7 On the same side, professional component
8 is called a HCFA claim. So it's just a -- a
9 UB claim is -- I don't actually know what the term
10 UB stands for. But it's a -- it's got call it a
11 hundred different boxes that are filled out by a
12 provider that a provider submits in for rendered
13 services.

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22 Q. Okay.

23 A. If I can remember correctly.

24 Q. And is it important or relevant when

LD, DB, BW, RH v. United Healthcare Insurance Comp

1 looking at the distribution that the distribution
2 fall along, you know, perhaps the -- in a similar
3 form to a standard distribution or is that even --
4 is that looked at or validated or how do you --
5 how is it determined that it's an appropriate
6 measure to use?

7 MR. CAESAR: I'm going to object -- I'm
8 going to object to form.

9 Maybe you could restate that because
10 I think there's a lot of undefined terms in there.

11 But if you can answer, you can answer.

12 MR. MODIANO: Sure.

13 BY MR. MODIANO:

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Q. That's okay. Okay. So I'm just trying to see if I need any other questions on this I wanted to ask you.

I think we're good on that one for the moment.

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Q. I'm just switching paper. Okay.

1 MR. MODIANO: So the next, I'll introduce
2 this and mark it as Exhibit 5.

3 (Crandell Deposition Exhibit
4 No. 5 marked for
5 identification.)

6 (Discussion held off the
7 record.)

8 BY MR. MODIANO:

9 Q. I've just introduced Exhibit 5, which is
10 "MultiPlan's Objections and Answers to Plaintiffs'
11 Special Interrogatories to Defendant MultiPlan."
12 Just let me know when you've got them.

13 A. All right. I have it.

14 Q. Okay. And have you seen this document
15 before?

16 A. Yes.

17 MR. MODIANO: And, counsel, I don't see a
18 verification. Was one provided or will one be
19 provided?

20 MR. CAESAR: We'll check into that. I
21 don't have that knowledge myself, but we'll have
22 someone look into that if there has been a
23 verification provided. You know, obviously we
24 will --

1 MR. MODIANO: It might have -- if it came
2 in a separate document, then it did. I was just
3 asking because it wasn't in this one.

4 MR. CAESAR: Yeah, we'll check into that.

5 MR. MODIANO: Okay.

6 BY MR. MODIANO:

7 Q. So I'd like to direct your attention to
8 Interrogatory 3, which is kind of in the middle of
9 page 6.

10 A. Okay.

11 Q. And that interrogatory states, "Describe
12 in detail the results of any and all analysis,
13 undertakings, in determining pricing rates using
14 Viant OPR (including the data set, sample size,
15 geographic distribution, et cetera) for intensive
16 outpatient claims from January 1, 2015 to
17 present."

18 And then if we continue on to page 7,
19 starting at line 2, it says, "MultiPlan states
20 that intensive outpatient claims are priced
21 the same by Viant as any other outpatient claims."

22 My first question is do you agree with
23 that statement?

24 A. What's the definition around outpatient,

1 intensive outpatient? Is there a definition on
2 it?

3 Q. I'll -- for the purpose of our discussion,
4 let's say that refers to HCPCS H0015.

5 A. Okay.

6 Q. So if I restate it that way, it would be
7 "MultiPlan states that H0015 intensive outpatient
8 claims are priced the same by Viant as any other
9 outpatient claims."

10 Is that a statement you agree with?

11 A. Correct.

12 Q. Okay. And then it states, "MultiPlan has
13 already provided Plaintiffs in discovery, multiple
14 times, with its Viant Facility U&C Outpatient
15 Review Module, i.e., white papers, which explain
16 in detail the relevant pricing process."

17 So is that referring to the white -- what
18 we just went through as white papers, those two
19 exhibits?

20 A. Yes.

21 Q. So do you agree with the statement that
22 the white papers explain in detail the Viant
23 pricing process?

24 A. Yes.

1 Q. Okay. And then Interrogatory No. 4 says,
2 "Describe in detail any and all efforts undertaken
3 by You to obtain charge data for intensive
4 outpatients service" -- "(IOP) services from
5 January 1, 2015 to present as well as the results
6 or outcomes of any such efforts."

7 And then going down to line 24 in
8 the answer, it says, "MultiPlan has already
9 provided Plaintiffs in discovery, multiple times,
10 with its Viant Facility U&C Outpatient Review
11 (OPR) Module, i.e., whitepapers, which explain
12 in detail the relevant Viant pricing process,
13 including the charge data that it utilizes."

14 Do you agree with that statement?

15 A. Yes.

16 [REDACTED]

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10 Q. Okay. Then moving on to page 12,
11 Interrogatory No. 10, just let me know when you
12 get there.

13 A. Okay.

14 [REDACTED]
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(Court reporter clarification.)

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BY MR. MODIANO:

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Q. And so for the record, can you explain what -- when we say self-bill what that means?

9

A. Yeah. In this case a client would send us a file and say here is what we are paying you on for the services that you rendered. And it usually includes a claim number or somehow a way to identify the claim of what we processed for them.

15

Q. And do you and finance or other departments then, you know, cross-check it against what you -- what was the claims information you sent to United?

19

A. The billing intricacies, it's a very complex system because somebody is rendering payment for services that were incurred it could have been two months ago, it could have been four months ago.

24

So the array of data that's in there is

1 often very stratified in trying to push it back
2 into the original format.

3 Q. Sure. But is it done? I mean, do you
4 guys cross-check it?

5 A. High level, yes. You know, we have to
6 just to make sure that, you know, if we bring on a
7 new client to making sure that, you know, if we're
8 achieving or identifying savings for them as a
9 service, to make sure that, you know, we're
10 actually getting paid on some of it.

11 But, again, we don't -- you know, we're
12 identifying savings for a client as, you know,
13 here's what our recommendation is. And there's a
14 whole host of things that happen on the payor side
15 that I can't really necessarily explain on why we
16 wouldn't get paid on certain claims.

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24 BY MR. MODIANO:

1 indexed, utilized, and how such recordings may be
2 later retrieved and reviewed."

3 And I only have a fairly narrow question
4 on this one. The sentence that starts between
5 lines 17 and 18 in the answer says, "The call
6 recordings reside on two systems of record,
7 Cisco/OnviSource and Aspect/AQM."

8 Do you know what those -- can you tell me
9 anything about those systems?

10 MR. CAESAR: First of all, I'm going to
11 object. This witness has not been designated with
12 respect to this topic.

13 MR. MODIANO: This is personal knowledge.
14 It just if he knows what they are. I'm just
15 trying to find out what they are.

16 MR. CAESAR: It's a personal knowledge
17 question, if you know.

18 A. Yeah, I know there are systems that record
19 calls in the operational area. To that extent, I
20 don't know how frequent it is; is it random
21 sample. That's all my knowledge. It's more of an
22 operational question.

23 BY MR. MODIANO:

24 Q. Okay. And who -- which individual would

1 you direct me to to -- or would you think have
2 knowledge on, you know, these systems? Like who
3 in operations if you had a question would you go
4 to?

5 A. Probably Kathy Praxmarer.

6 Q. Okay. That was really all I wanted to
7 find out on that. I wasn't planning on getting in
8 any detail on call logs with you. I know that's
9 not your area.

10 A. And we don't do any analytics around
11 there. I know there's stuff in the industry with
12 box and all of that other stuff. My area has
13 nothing, nor does, I don't think, MultiPlan does
14 any of that either, so...

15 Q. Okay. So let me -- we're going to move on
16 to another exhibit, decide which one I want to
17 pull up.

18 (Discussion held off the
19 record.)

20 THE VIDEOGRAPHER: Please stand by. Going
21 off the record at 10:36 AM.

22 (Recess taken.)

23 THE VIDEOGRAPHER: We are back on record
24 at 10:52 AM. You may proceed.

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MR. CAESAR: Objection as to form.

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The document speaks for itself.

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16 Q. Okay. And that's all I need to ask you
17 about. Yeah, I don't need to ask you any more
18 questions on that document.

19 MR. MODIANO: I'll pull up 7.

20 (Crandell Deposition Exhibit
21 No. 7 marked for
22 identification.)

23 BY MR. MODIANO:

24 Q. Okay. I've just pulled up what I've

1 marked as Plaintiffs' 7. Let me know when you get
2 that.

3 A. I have it.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED].

7 Q. And in -- you know, dated March 18, 2016.

8 Was -- what was Dale White's position when
9 you sent this email?

10 A. He was the head of sales and account
11 management.

12 Q. Okay. I would just ask you to read -- I
13 mean, short emails. Just read them and let me
14 know when you have a -- when you're done.

15 A. Okay.

16 Q. Having read this, is your recollection
17 refreshed as to the subject matter of it?

18 A. Yeah, it was.

19 [REDACTED]

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Q. And what is FAIR Health?

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[REDACTED].

A. FAIR Health is a -- an entity that provides data in a number of different types of modules. Okay. They have outpatient modules, they have professional modules, they have charge modules, and they also have allowable or paid modules to offer their clients for services as well.

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MR. CAESAR: I would object as to form.

LD, DB, BW, RH v. United Healthcare Insurance Comp

1 You can answer.

2 A. Can you repeat the question? Can you give
3 me A and B of what you're trying to compare, a
4 little bit of an explanation?

5

[REDACTED]

22 Q. Okay.

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MR. CAESAR: Objection as to form.

15

You can answer.

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THE WITNESS: Okay.

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Q. Okay. Okay. I don't think I need any other questions on that one.

MR. MODIANO: Let's see if I want to bring this one up. Yeah. I'm going to introduce this.

(Crandell Deposition Exhibit
No. 8 marked for
identification.)

BY MR. MODIANO:

Q. Okay. I've just uploaded what I've marked as Plaintiffs' Exhibit 8. It's "Training Session: Product Logic and Analytics" that says "Salt Lake City May 2017."

Just let me know when you get that.

A. Yup, I got it.

Q. Okay. So we're going down to -- can you go to page 6 of the deck, please, labeled

1 more than one deck.

2 A. Okay. I'm good.

3 Q. So is this what we've been discussing,
4 the Viant U&C?

5 A. Yes.

6 Q. Scrolling down, so if you go to page --
7 it's page 21, if we can go to that. That's 12520
8 Bates number.

9 A. "IPR Calculations"?

10 Q. Uh-huh. Yup.

11

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21 MR. CAESAR: Again, I'm going to object
22 because IPR is not part of the designation.

23 But you can go ahead and answer.

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Q. Okay. Understood and I appreciate that.

13

I don't have any more questions on that

14

one.

15

MR. MODIANO: Let's see what this one is.

16

Can we go off the record for a second?

17

MR. CAESAR: Sure.

18

THE VIDEOGRAPHER: Please stand by. Going

19

off the video record at 11:16 AM.

20

(Recess taken.)

21

THE VIDEOGRAPHER: We are back on record

22

at 11:25 AM. You may proceed.

23

BY MR. MODIANO:

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MR. MODIANO: Is that a fair statement,
Craig?

MR. CAESAR: Yes.

MR. MODIANO: Okay.

BY MR. MODIANO:

Q. So do you see this document?

A. Yes, sir.

Q [REDACTED]

[REDACTED]

[REDACTED]

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Q. Okay. I don't have any more questions on that document for you. I just wanted to get that.

MR. CAESAR: I'm going to take that exhibit away from Mr. -- it's not an exhibit, but

1 MR. MODIANO: Let's see if we'll do this
2 one. Okay. Now I'll introduce this one.

3 (Crandell Deposition Exhibit
4 No. 10 marked for
5 identification.)

6 MR. MODIANO: It disappeared on me. Okay.
7 I'm just trying to bring a file over.

8 BY MR. MODIANO:

9 Q. Okay. I've just introduced Plaintiffs'
10 Exhibit 10. Just let me know when you get that.

11 A. Got it.

12 Q. And this is a 2019 email. It looks like
13 it's from Tina Smith to Jacqueline Kienzle and
14 Mark Edwards.

15 So do you know who -- so who is
16 Tina Smith if you know?

17 A. Tina Smith I think is either like an
18 account associate or an account manager that
19 reports to Mark Edwards.

20 Q. Okay. And -- oh, there, I see her
21 signature line.

22 A. Oh, yeah, there's her -- sorry. I should
23 have looked.

24 Q. That's okay. I just saw it too.

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MR. CAESAR: I'm going to object to the

21

form. And also, I would note Mr. Crandell is not

22

anywhere on this document whatsoever. So I'm not

23

sure what knowledge he might have other than what

24

he has in his position.

1 But you can answer if you have any
2 knowledge.

3 [REDACTED]
4 [REDACTED]

5 BY MR. MODIANO:

6 [REDACTED]
7 [REDACTED]

8 [REDACTED]

9 Q. Sorry. No. Sorry. Go ahead. Please
10 finish. I didn't mean to cut you off.

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
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11 Q. Okay. That's all I wanted to ask about on
12 that one.

13 (Discussion held off the
14 record.)

15 MR. MODIANO: We'll bring this over.
16 Okay. It doesn't want to let me introduce
17 the PowerPoint, so I'll do a different one.

18 (Crandell Deposition Exhibit
19 No. 11 marked for
20 identification.)

21 BY MR. MODIANO:

22 Q. Okay. I just uploaded Plaintiffs'
23 Exhibit 11.

24 A. I have it.

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Do you see that?

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A. Yes.

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Q. Okay. That's all I needed on that document.

MR. MODIANO: And I'm going to introduce this one next.

(Crandell Deposition Exhibit
No. 12 marked for
identification.)

BY MR. MODIANO:

Q. I've just added Plaintiffs' Exhibit 12.

1 And I'll just ask you to kind of -- there's a
2 whole long string here, if you could take a look
3 through it, and then tell me, you know, when
4 you've done that, let me know.

5 A. Long email. I'm ready --

6 Q. Okay. I appreciate that. I'm at home.
7 So I apologize if there's a dog barking.

8 A. No problem.

9 (Discussion held off the
10 record.)

11 BY MR. MODIANO:

12 Q. But if you go to page 8, so MPI-00637
13 towards the bottom.

14 A. What's the number on it again?

15 MR. CAESAR: 637.

16 THE WITNESS: Okay. I'm on 637.

17 BY MR. MODIANO:

18 [REDACTED]
[REDACTED]
[REDACTED]
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Q. So it looks like -- I'm scrolling up.

8

9

10

So when you say Marie, that's referring to Marie Glass, the senior network development executive?

11

A. Yes. Yes.

12

Q. In 2019 that was her title.

13

A. Uh-huh.

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Q. Okay.

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MR. MODIANO: I think that's all I need to ask on that one. Okay.

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The next one -- oh, oops, I meant to -- I goofed. No, never mind. I did it right.

12

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(Crandell Deposition Exhibit

No. 13 marked for

identification.)

15

BY MR. MODIANO:

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Q. I just uploaded Plaintiffs' 13. Let me know when you get that one.

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A. Okay.

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10 MR. MODIANO: So I'll introduce this one
11 next, 2013.

12 (Discussion held off the
13 record.)

14 (Crandell Deposition Exhibit
15 No. 14 marked for
16 identification.)

17 BY MR. MODIANO:

18 Q. I just uploaded Plaintiffs' Exhibit 14.

19 MR. CAESAR: This is -- this is a document
20 that creates an issue. Can we go off the record?

21 MR. MODIANO: Sure.

22 THE VIDEOGRAPHER: We are going off record
23 at 11:57 AM.

24 (Recess taken.)

1 THE VIDEOGRAPHER: We are back on record
2 at 11:59 AM. You may proceed.

3 MR. CAESAR: I informed -- this is
4 Mr. Caesar. I informed counsel that this
5 particular document, Exhibit 14, which bears Bates
6 stamped MPI2013 through 2015 -- actually, 2015
7 appears to be blank, but 2013 to 2014 have text,
8 is a document that we need to claw back.

9 MultiPlan is asserting work product and
10 attorney-client privilege with respect to this
11 document. And, therefore, we would object to any
12 examination with respect to its contents.

13 MR. MODIANO: Okay. And for the reasons
14 we discussed, I disagree with the assertion.

15 But, counsel, just to make the record
16 clear, are you instructing your witness not to
17 answer any questions on this document?

18 MR. CAESAR: Yes.

19 MR. MODIANO: Okay. We can move on.

20 (Crandell Deposition Exhibit
21 No. 15 marked for
22 identification.)

23 BY MR. MODIANO:

24 Q. And I've just introduced Plaintiffs'

1 Exhibit 15, and I'll let the witness and counsel
2 review and see if the same instructions are given.

3 MR. CAESAR: Yes, the same instruction,
4 the same claim, we're going to claw back this
5 document, claim -- we're making an assertion of
6 attorney-client privilege and work product, and I
7 direct the witness not to answer any questions
8 with respect to this particular exhibit.

9 MR. MODIANO: Okay.

10 MR. CAESAR: And just for the record, it's
11 2008 through 2012, but that last page is
12 intentionally blank.

13 MR. MODIANO: I believe that the last
14 page refers to one of the attachments -- one of
15 the attachments.

16 MR. CAESAR: Okay.

17 MR. MODIANO: I mean, just based -- I'm
18 not reading anything privileged. It says
19 attachment image 1, 2, and 3. I think it -- I
20 suspect it refers to image 3.

21 MR. CAESAR: Okay.

22 MR. MODIANO: And, actually, counsel, I
23 want to clarify one issue. On MPI-002013 that
24 you're asserting privilege over, are you asserting

1 privilege over the entire document, including
2 the portion that's a forward -- forwarded email
3 from an earlier time period?

4 MR. CAESAR: So 2013...

5 MR. MODIANO: I'm just trying to ask it in
6 a way that, you know, keeps the record clean but
7 is still clear.

8 MR. CAESAR: You're talking about
9 Mike Schill's email?

10 MR. MODIANO: I'm talking about the email
11 that's dated September 27, 2018.

12 MR. CAESAR: Yes, we are asserting it for
13 that portion as well because that information
14 relates to the substance of the communications and
15 work that was being performed with respect to this
16 particular matter.

17 MR. MODIANO: So that particular matter
18 was in existence in 2018?

19 MR. CAESAR: No, but the communication of
20 that information relates to a proceeding,
21 including that inside a communication relating to
22 that later proceeding cloaks that original
23 document within the privileges and/or work product
24 immunity as well.

1 But I understand you may take a different
2 position with respect to that.

3 MR. MODIANO: Yeah, good chance I do. But
4 I just want it to be clear. I just wanted to make
5 the record clear on that. That's all.

6 MR. CAESAR: Happy to have the record
7 clear.

8 MR. MODIANO: Sure.

9 (Crandell Deposition Exhibit
10 No. 16 marked for
11 identification.)

12 MR. MODIANO: And I'm going to introduce
13 Exhibit 16, and I'll give counsel a chance to look
14 at it. I'm not sure if this refers to the same
15 matter or not. It has a different subject in
16 the mail.

17 MR. CAESAR: Yes, this is the same,
18 the same proceeding. So we're going to claw back
19 and assert privilege, work -- attorney-client
20 privilege and work product immunity for this
21 particular document as well.

22 MR. MODIANO: Okay. And instructing
23 the witness not to answer any questions?

24 MR. CAESAR: And instructing the witness

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MR. CAESAR: Objection as to form.

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You can answer.

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MR. CAESAR: Objection as to form,

compound.

If you can answer that question, there's a
lot packed into that question.

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MR. CAESAR: Objection as to form.

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You can answer.

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BY MR. MODIANO:

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1 [REDACTED]

2 Q. It does. I definitely have a few
3 follow-up questions though.

4 A. Uh-huh.

5 Q. So do you know what HCPCS CMS crosswalks
6 to APC 5823? Do you know what those -- what those
7 HCPCS are?

8 A. Not off the top of my head, no.

9 Q. Okay. Do you know if those HCPCS refer to
10 services provided in a hospital setting?

11 A. Not off the top of my head, no.

12 Q. Okay. Do you know what type of provider
13 would render the services that roll up into
14 APC 5823?

15 A. In the SAF file it's going to be coming
16 from hospital outpatient providers.

17 [REDACTED]
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MR. CAESAR: Objection as to form,
argumentative --

MR. KING: Mischaracterization --

MR. CAESAR: Yeah, mischaracterization of
the testimony.

You can answer.

THE WITNESS: Can I respond? Okay.

MR. CAESAR: Yes, please.

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MR. CAESAR: Well, I'm going to object to

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form.

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You can answer.

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BY MR. MODIANO:

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Q. Okay. I know you're not a statistician.

7

A. Uh-huh.

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Q. But I believe you testified you took a few
stat courses; correct?

10

A. Yes, sir --

11

Q. So --

12

A. -- a long time ago.

13

14

Q. If you recall, what is the difference
between accuracy and precision?

15

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A. The difference between accuracy and
precision? I mean, this to me is a loaded
question of like how many ping pong balls fit in
an airplane. Okay?

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So to me it's my job to basically say the
way that you approach those two are by asking
questions and what is the real context of each
question and what you're actually asking.

23

24

Q. Okay. So what I would then ask is where
is the analysis showing that the codes that are in

1 5823 are a fair and accurate representation of
2 the services provided in H0015?

3 A. I do not know of the actual analysis or
4 the discussions that were had regarding 5823.

5 Q. Okay. Do you know if those records exist?

6 A. I do not know.

7 Q. Okay. Do you know if those records were
8 searched for?

9 A. I did not search any records, so I --
10 that's not a question for me.

11 Q. Okay. So I can represent to you that one
12 of the HCPCS that is -- that is within APC 5823 is
13 90834.

14 Are you familiar with HCPCS 90834?

15 A. Not off the top of my head, no.

16 Q. A description of psychiatric treatment
17 with patient 45 minutes.

18 A. Yeah.

19 Q. Does that sound -- okay.

20 So are you familiar with how much --
21 how the length of time treatment is typically
22 provided for in H0015 or what it's supposed to
23 represent?

24 A. No, I'm not.

1 Q. Okay. I believe that there was a
2 description provided earlier, but I think -- so
3 if -- would you agree with me that 45 minutes of
4 treatment is different -- I mean, I know this is
5 kind of an odd question, the way to put this
6 question.

7 But would you agree with me that
8 45 minutes of treatment is different from
9 three hours of treatment?

10 MR. CAESAR: Objection as to form.

11 BY MR. MODIANO:

12 Q. Psychiatric treatment.

13 MR. CAESAR: Lack of foundation.

14 If you're able to even offer an answer.

15 A. Yeah, I'm not familiar with
16 the differences between 45 minutes of treatment
17 and three hours of treatment or the varying levels
18 of intensity that go with each one of those.

19 Again, there are over 15,000, you know,
20 HCPCS codes, 20-some thousand professional codes.
21 You know, exact, specific examples of these again
22 are really up a coder's alley of explaining
23 the differences between the clinical aspects of
24 both.

1 MR. KING: Should we take a break?

2 MR. CAESAR: Are we going to get to a
3 point where you can -- a stopping point? Because
4 it's like 12:30. We've been going for a while.
5 It's probably a good time to take a lunch break.
6 When you're ready, Aaron. I don't want to
7 interrupt your line here.

8 MR. MODIANO: No. I mean, I'm --
9 honestly, I probably -- if you want to push
10 through for maybe a half an hour, tops, I'm
11 probably going to be done at that point, or we
12 can take a break and come back.

13 MR. KING: Or we can go --

14 MR. CAESAR: Let's take a break.

15 MR. KING: Let's take a five-minute break.
16 Do ten minutes.

17 THE VIDEOGRAPHER: Going off the record at
18 12:28 PM.

19 (Recess taken.)

20 THE VIDEOGRAPHER: Good afternoon. We are
21 back on record at 12:40 PM. You may proceed.

22 MR. MODIANO: Thank you.

23 BY MR. MODIANO:

24 Q. Mr. Crandell, when we just took our break,

1 I believe we were discussing APC code 5823.

2 A. Yes.

3 [REDACTED]

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MR. CAESAR: Objection as to form, lacks foundation. I'm not sure that the premise of the question is accurate.

The witness can answer.

MR. CAESAR: Objection as to form.

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And in the benefits administration, I
don't know.

BY MR. MODIANO:

Q. Sure. I mean, my question is much
narrower than that.

A. Uh-huh.

MR. CAESAR: Do you understand
the question?

THE WITNESS: No, I --

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BY MR. MODIANO:

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MR. CAESAR: Objection as to form.

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BY MR. MODIANO:

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Q. Okay. So it takes an input and it gives
you an output?

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A. Yup. That's the way we designed it. It's
not a rules engine. It's something that these are
the inputs in, here's what you get out.

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BY MR. MODIANO:

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Q. Okay. I just have a few couple of cleanup questions.

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Have you heard of what's often referred to as the 2 times rule as to APC groups? Does that phrase jog your recollection?

22

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A. Not off the top of my head, no.

Q. I can -- let's see, do I have it here?

I'm just looking for the PDF that has it.

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1 [REDACTED] [REDACTED].

2 Q. Yeah.

3 Would you agree with the -- no.

4 Strike that. I'll just leave it at that.

5 MR. MODIANO: I'll say, you know, I know
6 you took a lot of time preparing, and I've taken a
7 good number of hours, not seven, don't worry about
8 that, but you've taken a long time to prepare for
9 this, and you've really answered all of my
10 questions, and I appreciate it.

11 So I'll just say -- I'll say thank you,
12 and I'll leave it at that.

13 THE WITNESS: I appreciate the time, and I
14 hope I answered your questions. I answered them
15 to the best of my ability, so...

16 MR. CAESAR: Okay. The witness will read
17 and sign. And, again, we have this deposition
18 designated as confidential, AEO, pursuant to
19 the protective order, please.

20 We have no questions.

21 THE VIDEOGRAPHER: Okay. Counsel, please
22 stay online and stand by.

23 MR. MODIANO: Oh, well, there's one more
24 counsel.

1 THE VIDEOGRAPHER: I'm sorry.

2 MS. RICHARDSON: And nothing from me.

3 MR. MODIANO: Okay. I just didn't want to
4 leave you out.

5 MS. RICHARDSON: No problem. Thanks,
6 Aaron.

7 THE VIDEOGRAPHER: Okay. Great.
8 Thank you.

9 As mentioned, please stay online and
10 stand by. We are going off the video record at
11 12:53 PM and concludes today's testimony. Master
12 media will be retained by Veritext Legal
13 Solutions. Thank you all.

14 (The following proceedings were
15 held off the video record.)

16 MR. MODIANO: We'll take a rough.

17 THE COURT REPORTER: And what about
18 the final?

19 MR. MODIANO: Definitely that too.

20 THE COURT REPORTER: Is regular delivery
21 okay or do you need it sooner?

22 MR. MODIANO: It depends on what regular
23 means.

24 THE COURT REPORTER: Ten business days.

1 Attorney Modiano, would you like
2 the transcript regular delivery?

3 MR. MODIANO: Yes, please.

4 MR. CAESAR: Yes.

5 THE COURT REPORTER: Attorney Caesar, did
6 you want a rough draft?

7 MR. CAESAR: We would like a rough draft,
8 but we'll take the formal regular.

9 THE COURT REPORTER: Attorney Richardson,
10 would you like a rough draft?

11 MS. RICHARDSON: Yes, please, same order
12 as everybody else.

13 (Whereupon proceedings were
14 adjourned.)

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LD, DB, BW, RH v. United Healthcare Insurance Comp

Page 143

1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF CALIFORNIA
 3 LD, DB, BW, RH, and CJ on)
 behalf of themselves and)
 4 all others similarly situated,)
 Plaintiffs,)No.
 5 vs.)4:20-cv-02254-YGR
 UNITED HEALTHCARE INSURANCE)
 6 COMPANY, a Connecticut) CONFIDENTIAL
 Corporation, UNITED BEHAVIORAL) ATTORNEYS' EYES
 7 HEALTH, a California) ONLY
 Corporation, and MULTIPLAN,)
 8 INC., a New York Corporation,)
 Defendants.)

9
 10 This is to certify that I have read
 11 the transcript of my deposition taken in the
 12 above-entitled cause by Deralyn Gordon, Certified
 13 Shorthand Reporter, on July 14, 2022, and that the
 14 foregoing transcript accurately states the
 15 questions asked and the answers given by me as
 16 they now appear.

17 _____
 18 MULTIPLAN, INC.,
 19 by and through Sean Crandell
 20 Subscribed and sworn to
 21 before me this _____ day
 22 of _____, 2022.

23 _____
 24 Notary Public

LD, DB, BW, RH v. United Healthcare Insurance Comp

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1 Case Name: LD vs. United Healthcare

2 Deposition of: MULTIPLAN, INC.,

3 by and through Sean Crandell

4 Date Taken: July 14, 2022

5
6 Page Line Change:

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23 Date: -----

24 Signature: -----

LD, DB, BW, RH v. United Healthcare Insurance Comp

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1 Case Name: LD vs. United Healthcare

2 Deposition of: MULTIPLAN, INC.,

3 by and through Sean Crandell

4 Date Taken: July 14, 2022

5
6 Page Line Change:

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23 Date: -----

24 Signature: -----

1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF C O O K)

4 I, Deralyn Gordon, a notary public within and
5 for the County of Cook and State of Illinois, do
6 hereby certify that heretofore, to-wit, on the
7 14th of July, 2022, personally appeared before me
8 via virtual Zoom, MULTIPLAN, INC., by and through
9 Sean Crandell, in a cause now pending and
10 undetermined in the United States District Court
11 Northern District of California, wherein LD, et
12 al., are the Plaintiffs, and United Healthcare
13 Insurance Company, et al., are the Defendants.

14 I further certify that the said witness was
15 first duly sworn to testify the truth, the whole
16 truth and nothing but the truth in the cause
17 aforesaid; that the testimony then given by said
18 witness was reported stenographically by me in the
19 presence of the said witness, and afterwards
20 reduced to typewriting by Computer-Aided
21 Transcription, and the foregoing is a true and
22 correct transcript of the testimony so given by
23 said witness as aforesaid.

24 I further certify that the signature to the

1 foregoing deposition was not waived by counsel for
2 the respective parties.

3 I further certify that the taking of this
4 deposition was pursuant to Notice, and that there
5 were present at the deposition the attorneys
6 hereinbefore mentioned.

7 I further certify that I am not counsel for
8 nor in any way related to the parties to this
9 suit, nor am I in any way interested in the
10 outcome thereof.

11 IN TESTIMONY WHEREOF: I have hereunto set my
12 hand and affixed my notarial seal this 18th day of
13 July, 2022.

14
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18 _____
19 Notary Public, Cook County, Illinois
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[& - 2018]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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